

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ACHABE QUINONES,

Plaintiff,

v.

COUNTY OF CAMDEN, DETECTIVES
MATTHEW DIDOMENCIO COULTER,
FESI, AND THE CURRENTLY
UNKNOWN AND UNNAMED CITY OF
CAMDEN POLICE OFFICERS,

Defendants.

Civ. No. 1:20-cv-03341-NLH

OPINION AND ORDER

APPEARANCES:

ANTHONY ARECHAVALA, ESQ.
LAW OFFICE OF ANTHONY ARECHAVALA, ESQ.
1015 CHESTNUT STREET, SUITE 400
PHILADELPHIA, PA 19107

On behalf of Plaintiff Achabe Quinones

CHRISTOPHER J. O'CONNELL, ESQ.
SWEENY & SHEEHAN, P.C.
SENTRY OFFICE PLAZA, SUITE 300
216 HADDON AVENUE
WESTMONT, NJ 08108

On behalf of Defendants County of Camden, Detectives Matthew DiDomencio, Andrew Coulter, and Robert Fesi

HILLMAN, District Judge

WHEREAS, this Court received a Motion requesting an Extension of Time for Plaintiff to file a response to Defendants' Motion for Summary Judgment on February 18, 2022

from the original deadline of February 28, 2022 to March 27, 2022; see ECF No. 30; and

WHEREAS, the Motion for an Extension of Time by Plaintiff was unopposed by Defendants; see ECF No. 30 at 1 of 4; and

WHEREAS, the Plaintiff submitted a response to Defendants' Summary Judgment on March 17, 2022; see ECF No. 31; and

FURTHER, Plaintiff filed for leave to provide the Court with a sur-reply brief on April 5, 2022, alerting the Court and Defendants of the lack of a separate Statement of Material Facts per Local Rule of Civil Procedure 56.1(a), and providing argument regarding same; see ECF No. 35; and

WHEREAS, Defendants submitted a letter to the Court with a separate Statement of Material Facts on April 6, 2022, stating that the Statement of Material Facts was inadvertently omitted at the time of filing; see ECF No. 36; and

WHEREAS, Plaintiff filed a response to Defendants' Statement of Facts on April 26, 2022, and though objecting to the late filing, responded with their admissions, denials, and contested facts; see ECF No. 38; and

WHEREAS, Defendants requested leave to file a sur-reply to respond to Plaintiffs' responses to Defendants' Statement of Facts on May 5, 2022; see ECF No. 39; and

WHEREAS, Plaintiffs responded to Defendants' requested sur-reply on May 9, 2022; see ECF No. 40; and

WHEREAS, Local Civil Rule 7.1(d)(6) states that no sur-replies are permitted without permission of the Judge or Magistrate Judge to whom the case is assigned; and

WHEREAS, the Court will consider all facts, claims, and contested issues in its decision as reflected in all filings to date related to the summary judgment motion filed on February 10, 2022; see ECF No. 29;

Accordingly,

IT IS on this 5th day of August, 2022

ORDERED that the Plaintiff's Motion for Extension of Time to reply to Defendants' Motion for Summary Judgment is DISMISSED, as it is moot (ECF No. 30); and it is further

ORDERED that all requests to file sur-replies be, and the same hereby are, GRANTED nunc pro tunc (ECF Nos. 35 and 39).

At Camden, New Jersey

s/Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.